

REMARKS

Claims 1-3, 9 and 12-14 were rejected under 35 USC 103 over Hayashi in view of Solayappan and claims 4-8, 10 and 11 over the same combination in further view of Ogi. It is respectfully submitted that both of these rejections should be withdrawn.

Applicant believes that the arguments presented in the amendment filed on January 22, 2003 remain valid and they are hereby incorporated herein by reference. It is again pointed out that the references do not teach or suggest atomizing and directly introducing a solution into a substrate-containing film-forming chamber which is being maintained at a pressure of about 100 Torr or lower, and forming the complex oxide thin-film on the substrate in the chamber at a temperature of a least the boiling point of the solvent. In the invention, that is accomplished because the nozzle in which the solution is atomized opens into the film-forming chamber. In contrast, the Hayashi patent requires the formation of a colloidal mist which, after being filtered, is flowed into a deposition chamber to deposit a liquid layer on the substrate. As pointed out on the bottom of page 18 of this application, by directly introducing the atomized solution into the film-forming chamber from the two-fluid nozzle, the atomized solution does not need to be carried by a piping or similar apparatus. Hayashi's process, on the other hand, generates the mist which is then allowed to settle in a buffer chamber and filtered before it is introduced into the deposition chamber.

The Office Action takes note of the above but states the arguments are not commensurate in scope with the claims, observing that Hayashi also directly introduces atomized solution into the chamber. It is respectfully submitted that this observation overlooked the recitation that atomization takes place within the nozzle. To further emphasize this point, claim 1 has been amended to recite that gas is mixed with the solution in the nozzle and the atomized mixture is directly introduced into the chamber

(see page 9, lines 3-10). On further consideration, it is believed the Examiner will recognize the invention is not obvious over the art and will withdraw the rejection.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. According, the Examiner is respectfully requested to pass this application to issue.

Dated: June 11, 2003

Respectfully submitted,

By 
Edward A. Meilman

Registration No.: 24,735

DICKSTEIN SHAPIRO MORIN &
OSHINSKY LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 835-1400

Attorney for Applicant